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Linda McCulloch
Superintendent

October 9, 2002

To: Title I, Part A Authorized Representatives

From: BJ Granbery, Title I, Part A Director/Division Administrator
Division of Educational Opportunity and Equity

Subject: **Highly Important Information On**
Implementing New Requirements Under the No Child Left Behind Act of 2001

ATTENTION: FOR YOUR INFORMATION AND ACTION
(See Requirements below.)

The federal No Child Left Behind Act of 2001 (NCLB) contains several requirements that all districts receiving Title I, Part A funds must have in place now that the 2002-03 school year is underway. Below are some of the major ones we'd like to call to your attention at this time. **NOTE: If you are a county superintendent that is an Authorized Representative for one or more rural schools, you must make sure those schools are aware of and adhering to these requirements if they receive Title I, Part A funds.**

Highly Qualified Teachers

The definition of "highly qualified teacher" in NCLB has been approved by the U.S. Department of Education for Montana to mean a teacher that is properly certified and endorsed in all areas of the teaching assignment. Please refer to the attached Board of Public Education Rules 10.55.707 and 10.55.708 and the attached Appendix A of the Montana School Accreditation Standards and Procedures Manual.

Requirement [Sec. 1119(a)(1)]: After the first day of the 2002-03 school year, all teachers hired to teach in a Title I, Part A funded program must be highly qualified.

Requirement [Sec. 1111(h)(6)(A)]: At the beginning of each school year (immediately for 2002-03 if not already done) districts receiving Title I, Part A funds must notify parents of students attending schools that receive Title I, Part A funds that parents may request, and the district will provide in a timely manner, if requested, the following information (at a minimum) regarding the professional qualifications of the student's classroom teachers:

- 1) Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
- 2) Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived;
- 3) The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certificate or degree; and/or
- 4) Whether the child is provided services by paraprofessionals and, if so, their qualifications.
(SEE EXAMPLE LETTER A ATTACHED)

Requirement [Sec. 1111(h)(6)(B)]: In addition to the information above that a parent may request, a school that receives Title I, Part A funds must provide to each individual parent (not just those requesting it) the following:

- 1) Information on the level of achievement of the parent's child on the statewide academic assessment (if you haven't done so, SEND HOME PARENT REPORTS ON ITBS or ITED scores); and
- 2) Timely notice that the parent's child has been assigned or has been taught for four or more consecutive weeks by a teacher who is not highly qualified (SEE EXAMPLE LETTER B ATTACHED. IF YOU HAVE THIS SITUATION, FOUR WEEKS HAS NOW PASSED SINCE SCHOOL STARTED.)

The above must be provided in an understandable and uniform format and, to the extent practicable, in a language that the parents can understand.

Requirement [Sec. 1119(i)]: The district must require the principal of each school that receives Title I, Part A funds to attest annually in writing as to whether such school is in compliance with all requirements regarding highly qualified teachers and requirements for the qualifications and duties of paraprofessionals. (See below for qualifications and duties of paraprofessionals.) Copies of the attestations must be maintained at each school that receives Title I, Part A funds and at the district main office and must be available to any member of the general public on request.

Paraprofessionals

These are the requirements for paraprofessionals (para's) working in programs supported with Title I, Part A funds. These requirements applied immediately to para's hired after January 8,

2002. Existing para's hired before that date have four years or until January 8, 2006, to meet the qualifications.

Requirement [Sec. 1119(c-h)]: A district must ensure that all paraprofessionals working in a program supported with Title I, Part A funds have done the following:

- 1) Completed a secondary school diploma or its recognized equivalent, and
- 2) Completed at least two years of study at an institution of higher education, OR
- 3) Obtained an associates degree or higher, OR
- 4) Met a rigorous standard of quality and can demonstrate through a locally selected academic assessment: knowledge of, and the ability to assist in instructing reading, writing, and mathematics (or reading readiness, writing readiness, and mathematics readiness, as appropriate).

These requirements do not apply to a para who is proficient in English and another language who serves primarily as a translator or a para whose duties consist solely of conducting parent involvement activities. The requirements also do not apply to para's who only provide non-instructional duties such as personal care service, playground, hallway, bus, or cafeteria duty. The requirements apply to all para's in a Schoolwide Program under Title I except those with the duties that are exempted as listed above in this paragraph. (SEE ATTACHED ON UPDATED INFORMATION ON TESTS THAT MIGHT BE USED TO SATISFY NUMBER 4.)

These are the responsibilities that may be assigned to paraprofessionals working in a program supported with Title I, Part A funds:

- 1) providing one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when the student would not otherwise receive instruction from a teacher;
- 2) assisting with classroom management, such as organizing instructional and other materials;
- 3) providing assistance in a computer lab;
- 4) conducting parental involvement activities;
- 5) providing support in a library or media center;
- 6) acting as a translator; OR

7) providing instructional services in accordance with the below limitations.

Limitations: A para may not provide any instructional service to a student unless the para is working under the direct supervision of a highly qualified teacher, AND may assume limited duties that are assigned to similar personnel who are not working in a program supported with Title I, Part A funds, including duties beyond classroom instruction or that do not benefit participating students, as long as the amount of time spent on such duties is the same proportion of total work time as is the case for similar personnel at the same school.

Requirement [Sec. 1118]: Required parent involvement policies at both the district and school level, as well as parent compacts and the required annual meeting, continue as under the previous law.

In addition to these requirements for schools receiving Title I, Part A funds, the following applies to all public schools.

Requirement [Sec. 1119(a)(2) and (3) and (l)]: All teachers teaching in core academic subjects in every public school in the state must be highly qualified by the end of the 2005-06 school year. Core academic subjects are defined in the law as: English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

Districts that receive Title I, Part A funds must use no less than 5 percent but no more than 10 percent of those funds on professional development activities so that any teacher not highly qualified become highly qualified by 2005-06. If the district has already certified in a statement submitted to the OPI Title I program that all teachers are already highly qualified, the minimum of 5 percent does not have to be expended for this purpose. If there is a district for which this applies that has not already submitted such certifying statement, this must be done immediately if the district does not plan to expend at least the required minimum of 5 percent of the Title I, Part A allocation for this purpose. These and any other Title I, Part A funds can also be used for professional development to assist paraprofessionals to meet their requirements.

Requirements regarding Adequate Yearly Progress (AYP) will be clarified at a later date. The OPI must submit Montana's definition for AYP to the U. S. Department of Education by January 30, 2003. The NCLB is very prescriptive on how the definition must be drafted. Requirements for state, district, and school report cards are being partially met now with the posting of 2001-02 assessment results on the OPI Web site. Please notify parents and your community in

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general that these results can be found at www.opi.state.mt.us under "Assessment" on the programs and services pull-down menu. More information regarding the report card requirements will become available when an internal team at the OPI completes work that has just begun in this area.

Please refer to and use the attachments with this letter to implement these requirements without delay. If you have questions or need assistance, please call (406) 444-5660 and ask for the Title I, Part A specialist assigned to your project.

BJG:gs

Attachments